

Fill in this information to identify your case:

United States Bankruptcy Court for the:

EASTERN DISTRICT OF VIRGINIA

Case number (if known)

Chapter you are filing under:

- Chapter 7
- Chapter 11
- Chapter 12
- Chapter 13

Check if this an amended filing

## Official Form 101

# Voluntary Petition for Individuals Filing for Bankruptcy

12/17

The bankruptcy forms use you and Debtor 1 to refer to a debtor filing alone. A married couple may file a bankruptcy case together—called a *joint case*—and in joint cases, these forms use you to ask for information from both debtors. For example, if a form asks, “Do you own a car,” the answer would be yes if either debtor owns a car. When information is needed about the spouses separately, the form uses *Debtor 1* and *Debtor 2* to distinguish between them. In joint cases, one of the spouses must report information as *Debtor 1* and the other as *Debtor 2*. The same person must be *Debtor 1* in all of the forms.

Be as complete and accurate as possible. If two married people are filing together, both are equally responsible for supplying correct information. If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write your name and case number (if known). Answer every question.

### Part 1: Identify Yourself

#### About Debtor 1:

##### 1. Your full name

Write the name that is on your government-issued picture identification (for example, your driver's license or passport).

Bring your picture identification to your meeting with the trustee.

**Stewart**

First name

**Wayne**

Middle name

**Capps**

Last name and Suffix (Sr., Jr., II, III)

#### About Debtor 2 (Spouse Only in a Joint Case):

**Candice**

First name

**Marie**

Middle name

**Capps**

Last name and Suffix (Sr., Jr., II, III)

##### 2. All other names you have used in the last 8 years

Include your married or maiden names.

**Candice Marie Alexander**

##### 3. Only the last 4 digits of your Social Security number or federal Individual Taxpayer Identification number (ITIN)

**xxx-xx-0906**

**xxx-xx-0063**

Debtor 1 **Stewart Wayne Capps**  
Debtor 2 **Candice Marie Capps**

Case number (if known) \_\_\_\_\_

**About Debtor 1:**

**4. Any business names and Employer Identification Numbers (EIN) you have used in the last 8 years**

I have not used any business name or EINs.

Include trade names and *doing business as* names

Business name(s) \_\_\_\_\_

EINs \_\_\_\_\_

**About Debtor 2 (Spouse Only in a Joint Case):**

I have not used any business name or EINs.

Business name(s) \_\_\_\_\_

EINs \_\_\_\_\_

**5. Where you live**

**382 Mitchells Mill Road  
Aylett, VA 23009**

Number, Street, City, State & ZIP Code

**King William**

County \_\_\_\_\_

**If your mailing address is different from the one above, fill it in here.** Note that the court will send any notices to you at this mailing address.

Number, P.O. Box, Street, City, State & ZIP Code \_\_\_\_\_

**If Debtor 2 lives at a different address:**

Number, Street, City, State & ZIP Code \_\_\_\_\_

County \_\_\_\_\_

**If Debtor 2's mailing address is different from yours, fill it in here.** Note that the court will send any notices to this mailing address.

Number, P.O. Box, Street, City, State & ZIP Code \_\_\_\_\_

**6. Why you are choosing this district to file for bankruptcy**

**Check one:**

Over the last 180 days before filing this petition, I have lived in this district longer than in any other district.

I have another reason. Explain. (See 28 U.S.C. § 1408.)

**Check one:**

Over the last 180 days before filing this petition, I have lived in this district longer than in any other district.

I have another reason. Explain. (See 28 U.S.C. § 1408.)

Debtor 1 **Stewart Wayne Capps**  
 Debtor 2 **Candice Marie Capps**

Case number (if known) \_\_\_\_\_

**Part 2: Tell the Court About Your Bankruptcy Case**

7. **The chapter of the Bankruptcy Code you are choosing to file under** *Check one. (For a brief description of each, see Notice Required by 11 U.S.C. § 342(b) for Individuals Filing for Bankruptcy (Form 2010)). Also, go to the top of page 1 and check the appropriate box.*

Chapter 7  
 Chapter 11  
 Chapter 12  
 Chapter 13

8. **How you will pay the fee**  **I will pay the entire fee when I file my petition.** Please check with the clerk's office in your local court for more details about how you may pay. Typically, if you are paying the fee yourself, you may pay with cash, cashier's check, or money order. If your attorney is submitting your payment on your behalf, your attorney may pay with a credit card or check with a pre-printed address.  
 **I need to pay the fee in installments.** If you choose this option, sign and attach the *Application for Individuals to Pay The Filing Fee in Installments* (Official Form 103A).  
 **I request that my fee be waived** (You may request this option only if you are filing for Chapter 7. By law, a judge may, but is not required to, waive your fee, and may do so only if your income is less than 150% of the official poverty line that applies to your family size and you are unable to pay the fee in installments). If you choose this option, you must fill out the *Application to Have the Chapter 7 Filing Fee Waived* (Official Form 103B) and file it with your petition.

9. **Have you filed for bankruptcy within the last 8 years?**  No.  
 Yes.

**ch7/Debtors discharged:**

District	<u>06/29/2011</u>	When	<u>3/16/11</u>	Case number	<u>11-31708</u>
District	_____	When	_____	Case number	_____
District	_____	When	_____	Case number	_____

10. **Are any bankruptcy cases pending or being filed by a spouse who is not filing this case with you, or by a business partner, or by an affiliate?**  No  
 Yes.

Debtor	_____	Relationship to you	_____		
District	_____	When	_____	Case number, if known	_____
Debtor	_____	Relationship to you	_____		
District	_____	When	_____	Case number, if known	_____

11. **Do you rent your residence?**  No. Go to line 12.  
 Yes. Has your landlord obtained an eviction judgment against you?  
 No. Go to line 12.  
 Yes. Fill out *Initial Statement About an Eviction Judgment Against You* (Form 101A) and file it as part of this bankruptcy petition.

Debtor 1 **Stewart Wayne Capps**  
 Debtor 2 **Candice Marie Capps**

Case number (if known) \_\_\_\_\_

**Part 3: Report About Any Businesses You Own as a Sole Proprietor**

**12. Are you a sole proprietor of any full- or part-time business?**

No. Go to Part 4.

Yes. Name and location of business

A sole proprietorship is a business you operate as an individual, and is not a separate legal entity such as a corporation, partnership, or LLC.

If you have more than one sole proprietorship, use a separate sheet and attach it to this petition.

Name of business, if any

Number, Street, City, State & ZIP Code

*Check the appropriate box to describe your business:*

- Health Care Business (as defined in 11 U.S.C. § 101(27A))
- Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))
- Stockbroker (as defined in 11 U.S.C. § 101(53A))
- Commodity Broker (as defined in 11 U.S.C. § 101(6))
- None of the above

**13. Are you filing under Chapter 11 of the Bankruptcy Code and are you a *small business debtor*?**

For a definition of *small business debtor*, see 11 U.S.C. § 101(51D).

*If you are filing under Chapter 11, the court must know whether you are a small business debtor so that it can set appropriate deadlines. If you indicate that you are a small business debtor, you must attach your most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return or if any of these documents do not exist, follow the procedure in 11 U.S.C. 1116(1)(B).*

No. I am not filing under Chapter 11.

No. I am filing under Chapter 11, but I am NOT a small business debtor according to the definition in the Bankruptcy Code.

Yes. I am filing under Chapter 11 and I am a small business debtor according to the definition in the Bankruptcy Code.

**Part 4: Report if You Own or Have Any Hazardous Property or Any Property That Needs Immediate Attention**

**14. Do you own or have any property that poses or is alleged to pose a threat of imminent and identifiable hazard to public health or safety? Or do you own any property that needs immediate attention?**

*For example, do you own perishable goods, or livestock that must be fed, or a building that needs urgent repairs?*

No.

Yes.

What is the hazard?

If immediate attention is needed, why is it needed?

Where is the property?

Number, Street, City, State & Zip Code

Debtor 1 **Stewart Wayne Capps**  
Debtor 2 **Candice Marie Capps**

Case number (if known) \_\_\_\_\_

**Part 5: Explain Your Efforts to Receive a Briefing About Credit Counseling****15. Tell the court whether you have received a briefing about credit counseling.**

The law requires that you receive a briefing about credit counseling before you file for bankruptcy. You must truthfully check one of the following choices. If you cannot do so, you are not eligible to file.

If you file anyway, the court can dismiss your case, you will lose whatever filing fee you paid, and your creditors can begin collection activities again.

**About Debtor 1:***You must check one:*

I received a briefing from an approved credit counseling agency within the 180 days before I filed this bankruptcy petition, and I received a certificate of completion.

Attach a copy of the certificate and the payment plan, if any, that you developed with the agency.

I received a briefing from an approved credit counseling agency within the 180 days before I filed this bankruptcy petition, but I do not have a certificate of completion.

Within 14 days after you file this bankruptcy petition, you MUST file a copy of the certificate and payment plan, if any.

I certify that I asked for credit counseling services from an approved agency, but was unable to obtain those services during the 7 days after I made my request, and exigent circumstances merit a 30-day temporary waiver of the requirement.

To ask for a 30-day temporary waiver of the requirement, attach a separate sheet explaining what efforts you made to obtain the briefing, why you were unable to obtain it before you filed for bankruptcy, and what exigent circumstances required you to file this case.

Your case may be dismissed if the court is dissatisfied with your reasons for not receiving a briefing before you filed for bankruptcy. If the court is satisfied with your reasons, you must still receive a briefing within 30 days after you file. You must file a certificate from the approved agency, along with a copy of the payment plan you developed, if any. If you do not do so, your case may be dismissed.

Any extension of the 30-day deadline is granted only for cause and is limited to a maximum of 15 days.

I am not required to receive a briefing about credit counseling because of:

 **Incapacity.**

I have a mental illness or a mental deficiency that makes me incapable of realizing or making rational decisions about finances.

 **Disability.**

My physical disability causes me to be unable to participate in a briefing in person, by phone, or through the internet, even after I reasonably tried to do so.

 **Active duty.**

I am currently on active military duty in a military combat zone.

If you believe you are not required to receive a briefing about credit counseling, you must file a motion for waiver credit counseling with the court.

**About Debtor 2 (Spouse Only in a Joint Case):***You must check one:*

I received a briefing from an approved credit counseling agency within the 180 days before I filed this bankruptcy petition, and I received a certificate of completion.

Attach a copy of the certificate and the payment plan, if any, that you developed with the agency.

I received a briefing from an approved credit counseling agency within the 180 days before I filed this bankruptcy petition, but I do not have a certificate of completion.

Within 14 days after you file this bankruptcy petition, you MUST file a copy of the certificate and payment plan, if any.

I certify that I asked for credit counseling services from an approved agency, but was unable to obtain those services during the 7 days after I made my request, and exigent circumstances merit a 30-day temporary waiver of the requirement.

To ask for a 30-day temporary waiver of the requirement, attach a separate sheet explaining what efforts you made to obtain the briefing, why you were unable to obtain it before you filed for bankruptcy, and what exigent circumstances required you to file this case.

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If the court is satisfied with your reasons, you must still receive a briefing within 30 days after you file. You must file a certificate from the approved agency, along with a copy of the payment plan you developed, if any. If you do not do so, your case may be dismissed.

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I have a mental illness or a mental deficiency that makes me incapable of realizing or making rational decisions about finances.

 **Disability.**

My physical disability causes me to be unable to participate in a briefing in person, by phone, or through the internet, even after I reasonably tried to do so.

 **Active duty.**

I am currently on active military duty in a military combat zone.

If you believe you are not required to receive a briefing about credit counseling, you must file a motion for waiver of credit counseling with the court.

Debtor 1 **Stewart Wayne Capps**  
 Debtor 2 **Candice Marie Capps**

Case number (if known)

**Part 6: Answer These Questions for Reporting Purposes**

16. What kind of debts do you have?	16a. <b>Are your debts primarily consumer debts?</b> <i>Consumer debts</i> are defined in 11 U.S.C. § 101(8) as "incurred by an individual primarily for a personal, family, or household purpose."		
	<input type="checkbox"/> No. Go to line 16b.		
	<input checked="" type="checkbox"/> Yes. Go to line 17.		
16b.	<b>Are your debts primarily business debts?</b> <i>Business debts</i> are debts that you incurred to obtain money for a business or investment or through the operation of the business or investment.		
	<input type="checkbox"/> No. Go to line 16c.		
	<input type="checkbox"/> Yes. Go to line 17.		
16c.	State the type of debts you owe that are not consumer debts or business debts		
<hr/>			
17. Are you filing under Chapter 7?	<input checked="" type="checkbox"/> No. I am not filing under Chapter 7. Go to line 18.		
<b>Do you estimate that after any exempt property is excluded and administrative expenses are paid that funds will be available for distribution to unsecured creditors?</b>	<input type="checkbox"/> Yes. I am filing under Chapter 7. Do you estimate that after any exempt property is excluded and administrative expenses are paid that funds will be available to distribute to unsecured creditors?		
	<input type="checkbox"/> No		
	<input type="checkbox"/> Yes		
18. How many Creditors do you estimate that you owe?	<input checked="" type="checkbox"/> 1-49 <input type="checkbox"/> 50-99 <input type="checkbox"/> 100-199 <input type="checkbox"/> 200-999	<input type="checkbox"/> 1,000-5,000 <input type="checkbox"/> 5,001-10,000 <input type="checkbox"/> 10,001-25,000	<input type="checkbox"/> 25,001-50,000 <input type="checkbox"/> 50,001-100,000 <input type="checkbox"/> More than 100,000
19. How much do you estimate your assets to be worth?	<input type="checkbox"/> \$0 - \$50,000 <input type="checkbox"/> \$50,001 - \$100,000 <input checked="" type="checkbox"/> \$100,001 - \$500,000 <input type="checkbox"/> \$500,001 - \$1 million	<input type="checkbox"/> \$1,000,001 - \$10 million <input type="checkbox"/> \$10,000,001 - \$50 million <input type="checkbox"/> \$50,000,001 - \$100 million <input type="checkbox"/> \$100,000,001 - \$500 million	<input type="checkbox"/> \$500,000,001 - \$1 billion <input type="checkbox"/> \$1,000,000,001 - \$10 billion <input type="checkbox"/> \$10,000,000,001 - \$50 billion <input type="checkbox"/> More than \$50 billion
20. How much do you estimate your liabilities to be?	<input type="checkbox"/> \$0 - \$50,000 <input type="checkbox"/> \$50,001 - \$100,000 <input checked="" type="checkbox"/> \$100,001 - \$500,000 <input type="checkbox"/> \$500,001 - \$1 million	<input type="checkbox"/> \$1,000,001 - \$10 million <input type="checkbox"/> \$10,000,001 - \$50 million <input type="checkbox"/> \$50,000,001 - \$100 million <input type="checkbox"/> \$100,000,001 - \$500 million	<input type="checkbox"/> \$500,000,001 - \$1 billion <input type="checkbox"/> \$1,000,000,001 - \$10 billion <input type="checkbox"/> \$10,000,000,001 - \$50 billion <input type="checkbox"/> More than \$50 billion

**Part 7: Sign Below**

For you I have examined this petition, and I declare under penalty of perjury that the information provided is true and correct.

If I have chosen to file under Chapter 7, I am aware that I may proceed, if eligible, under Chapter 7, 11, 12, or 13 of title 11, United States Code. I understand the relief available under each chapter, and I choose to proceed under Chapter 7.

If no attorney represents me and I did not pay or agree to pay someone who is not an attorney to help me fill out this document, I have obtained and read the notice required by 11 U.S.C. § 342(b).

I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.

I understand making a false statement, concealing property, or obtaining money or property by fraud in connection with a bankruptcy case can result in fines up to \$250,000, or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

**/s/ Stewart Wayne Capps**

**Stewart Wayne Capps**

Signature of Debtor 1

**/s/ Candice Marie Capps**

**Candice Marie Capps**

Signature of Debtor 2

Executed on December 11, 2018  
 MM / DD / YYYY

Executed on December 11, 2018  
 MM / DD / YYYY

Debtor 1 **Stewart Wayne Capps**  
Debtor 2 **Candice Marie Capps**

Case number *(if known)*

**For your attorney, if you are represented by one**

I, the attorney for the debtor(s) named in this petition, declare that I have informed the debtor(s) about eligibility to proceed under Chapter 7, 11, 12, or 13 of title 11, United States Code, and have explained the relief available under each chapter for which the person is eligible. I also certify that I have delivered to the debtor(s) the notice required by 11 U.S.C. § 342(b) and, in a case in which § 707(b)(4)(D) applies, certify that I have no knowledge after an inquiry that the information in the schedules filed with the petition is incorrect.

**/s/ Nupa Agarwal**

Signature of Attorney for Debtor

Date

**December 11, 2018**

MM / DD / YYYY

**Nupa Agarwal 42545**

Printed name

**Nupa Agarwal Attorney at Law**

Firm name

**PO Box 17275**

**Richmond, VA 23226**

Number, Street, City, State & ZIP Code

Contact phone

**(804) 691-2655**

Email address

**nupaagarwal@gmail.com**

**42545 VA**

Bar number & State

Department of Treasury-IRS  
IRS  
PO Box 7346  
Philadelphia, PA 19101

Aarons  
251 N Washington Hwy, Ste b-1  
Ashland, VA 23005

Advance America  
7029 Mechanicsville TnPk  
Mechanicsville, VA 23111

AMCA  
PO Box 1235  
Elmsford, NY 10523

American Anesthesiology of VA  
PO Box 88087  
Chicago, IL 60680-1087

AR Resources, Inc.  
Po Box 1056  
ATTN: Bankruptcy  
Blue Bell, PA 19422

Aylett Med CTR-A Dept of MRM  
PO Box 843356  
Boston, MA 02284-3356

Aylett Med CTR-A Dept of MRM  
ATTN: 18117j  
PO Box 14000  
Belfast, ME 04915-4033

BCC Financial Services  
PO Box 590097  
Fort Lauderdale, FL 33359

Bon Secours  
Richmond Health System  
PO Box 843356  
Boston, MA 02284-3356

Bon Secours Medical Group  
PO Box 843356  
Boston, MA 02284-3356

CAB  
8002 Discovery Drive  
Suite 311  
Henrico, VA 23229

Capio Partners LLC  
2222 Texoma Pkwy  
Ste 150  
Sherman, TX 75090

Capital One  
Attn: Bankruptcy  
Po Box 30285  
Salt Lake City, UT 84130

Caroline County Fire & Rescue  
PO Box 863  
Lewisville, NC 27023-0863

Cashnet Usa  
175 W. Jackson Ste 1000  
Chicago, IL 60604

CBE Group  
131 Tower Park Drive  
Suite 100  
Waterloo, IA 50701

Commonwealth Financial Systems  
Attn: Bankruptcy  
245 Main Street  
Dickson City, PA 18519

Commonwealth Radiology  
1508 Willow Lawn Drive  
Ste 117  
Richmond, VA 23230

Comonwealth of VA Dept of Tax  
c/o Tax Authority Consulting  
PO Box 2156  
Richmond, VA 23218

Convergent Outsourcing Inc.  
PO Box 9004  
Renton, WA 98057

Credit Acceptance  
25505 West 12 Mile Road  
Suite 3000  
Southfield, MI 48034

Credit Collection Services  
725 Canton Street  
626.6  
Norwood, MA 02062

Emergency Medicine Associates  
PO Box 88087  
Chicago, IL 60680-1087

Emergency Medicine Associates  
PO Box 826804  
Philadelphia, PA 19182-6804

Equifax  
Attn: Bankruptcy Dept.  
P.O. Box 740241  
Atlanta, GA 30374

Experian  
Attn: Bankruptcy Dept.  
P.O. Box 2002  
Allen, TX 75013

Fidelity Bank Mortgage  
ATTN: Mortgage Servicing  
PO Box 105075  
Atlanta, GA 30348-5075

First Premier Bank  
Attn: Bankruptcy  
Po Box 5524  
Sioux Falls, SD 57117

Focused Recovery Solution  
PO Box 63355  
Charlotte, NC 28263

Ford Motor Credit  
Attn: Bankruptcy  
Po Box 542000  
Omaha, NE 68154

Ford Motor Credit  
PO Box 6508  
Mesa, AZ 85216-6508

Fredicksburg Emer Med Alliance  
PO Box 888  
Fredericksburg, VA 22404-0888

Frost-Arnett Company  
PO Box 1280  
Oaks, PA 19456-1280

Hanover County General Dist Co  
P. O. Box 176□□  
7515 Library Drive□□  
Hanover, VA 23069-0176

Henrico County Gen. Dist. Crt.  
P. O. Box 90775□□  
4301 East Parham Road□□  
Henrico, VA 23273-0775

Horizon Financial Management  
8980 Georgia St.  
Crown Point, IN 46307-6520

Ic Systems Inc  
Po Box 64378  
St. Paul, MN 55164

IRS Centralized Insolvency Ope  
PO BOx 7346  
Philadelphia, PA 19101-7346

IRS Insolvency\*  
400 N. 8th Street Box 76  
M/ROOM 898  
Richmond, VA 23219

Jefferson Capital Systems  
16 McLeland Rd  
Saint Cloud, MN 56303

Lab. Corp  
PO Box 2240  
Burlington, NC 27216

Lendmark Financial Ser  
2118 Usher St NW  
Covington, GA 30014

Lincoln Automotive Fin Svcs  
Attn: Bankruptcy  
Po Box 542000  
Omaha, NE 68154

Memorial Regional Med. Center  
PO BOX 409438  
Atlanta, GA 30384-9438

Miramed Revenue Group  
Attn: Bankruptcy  
360 East 22nd Street  
Lombard, IL 60148

MiraMed Revenue Group  
360 East 22nd Street  
Lombard, IL 60148

MiraMed Revenue Group  
P.O. Box 536  
Linden, MI 48451-0536

Mitchell D. Bluhm & Assoc  
3400 Texoma PKWY, Suite 100  
Sherman, TX 75090

Monument Pathologists Inc.  
PO Box 91726  
Richmond, VA 23291-1726

Monument Pathologists Inc.  
P.O. Box 5468  
Martinsville, VA 24115-5468

One Hampton Medical  
3475 Momentum Place  
Chicago, IL 60689-5334

One Hanpton Medical  
3475 Momentum PL  
Chicago, IL 60689-5334

OSLA/Dept of Ed  
Attn: Bankruptcy  
Po Box 18475  
Oklahoma City, OK 73154

Patricia Capps  
PO Box 325  
Ladysmith, VA 22501

Portfolio Recovery  
Po Box 41021  
Norfolk, VA 23541

Randolph Boyd Cherry and Vaugh  
13 East Main Street  
Richmond, VA 23219

Receivables Outsourcing, LLC  
PO Box 549  
Lutherville Timonium, MD 21094

Richmond Card Assoc-  
A Dept of MRMC  
PO Box 843356  
Boston, MA 02284-3356

Richmond Emergency Physicians  
PO Box 79013  
Baltimore, MD 21279-0013

Scheer, Green, & Burke, Co.  
PO Box 1312  
Toledo, OH 43603-1312

Spinella Owings and Shaia  
8550 Mayland Dr  
Henrico, VA 23294

ST Mary's of Richmond Pro Fee  
PO Box 28538  
Henrico, VA 23228-8538

Stern Recovery Services  
415 North Edgeworth Street  
Suite 210  
Greensboro, NC 27401

Surgical Specs of Richmond  
ATTN#18117J  
PO Box 14000  
Belfast, ME 04915-4033

The Law Offices of  
Mitchel D.Bluhm & Assoc  
3400 Texoma Pkwy, Ste 100  
Sherman, TX 75090

Transunion  
Attn: Bankruptcy Dept.  
P.O. Box 1000  
Crum Lynne, PA 19022

United Consumers Inc  
Attn: Bankruptcy Dept  
Po Box 4466  
Woodbridge, VA 22192

United Consumers Inc  
PO Box 4466  
Woodbridge, VA 22194

Virginia Breast Center  
ATTN: 18118C  
PO BOX 14000  
Belfast, ME 04915-4033

West End Anesthesia Group Inc.  
5855 Brevo Rd.  
Ste. 100  
Richmond, VA 23226-1926